

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

CRIM. NO. 21-173 (PJS/DTS)

UNITED STATES OF AMERICA,

Plaintiff,

**MOTION TO WITHDRAW
APPEARANCE OF COUNSEL**

V.

ANTON JOSEPH LAZZARO,

Defendant.

Attorney Mark A. Satawa, of SATAWA LAW, PLLC., respectfully seeks permission from the Court to withdraw as counsel of record for Defendant Anton Joseph Lazzaro in this case. Defendant Lazzaro has is currently represented by retained counsel of his choosing, and has acted in a manner that clearly communicates his wish to terminate the attorney-client relationship with the Undersigned Counsel. Therefore, the Undersigned Counsel respectfully submits this motion to withdraw.

The Undersigned Counsel was initially hired as a trial/jury consultant by Gary K. Springstead, of the law firm Springstead, Bartish, Borgula & Lynch PLLC (SBBL Law). As part of that supporting role, the Undersigned Counsel filed a Motion requesting permission to appear *pro hac vice* as Defendant's counsel in this

case. (ECF No. 182). The Court granted this request and allowed the Undersigned Counsel to appear. (ECF No. 184).

On or about June 3, 2022, SBBL Law filed a Motion to Withdraw as Counsel as to Defendant Lazzaro (ECF 207). This Honorable Court granted that Motion to Withdraw on June 6, 2022 (ECF 210).

Since that time, the Undersigned Counsel has communicated with Defendant Lazzaro, and attempted to communicate with counsel for Defendant Lazzaro, as to whether (despite SBBL's withdraw) Defendant Lazzaro and successor counsel wanted to continue to use the Undersigned Counsel's services as a trial/jury consultant. As part of that communication, the Undersigned Counsel has sent emails/letters, and met with Defendant Lazzaro via zoom on December 1, 2022. At the December 1 zoom meeting, Defendant Lazzaro asked the Undersigned Counsel to send him some information relating to continued retention.¹ This information was sent within one week.

Since that information was sent in December 2022, the Undersigned Counsel has not heard anything from Defendant Lazzaro, or counsel for Defendant Lazzaro, as to whether Defendant Lazzaro wanted to continue to use the Undersigned Counsel's services as a trial/jury consultant. Given the discussion on the December

¹ Given concerns related to attorney-client privilege and confidentiality, the Undersigned Counsel is being intentionally vague as to the facts and details of this communication.

1 zoom, the Undersigned Counsel believes that Defendant Lazzaro, and/or counsel for Defendant Lazzaro, do not intent to utilize the Undersigned Counsel's services as a trial/jury consultant.

Defendant Lazzaro has is currently represented by retained counsel of his choosing. The Undersigned Counsel was never intended to be part of the Defense team at trial, and withdrawal from representation of Defendant Lazzaro not prejudice him in any way.

CONCLUSION

The Undersigned Counsel respectfully seeks permission from this Honorable Court to withdraw as counsel of record for Defendant Anton Joseph Lazzaro in this case. Defendant Lazzaro has exercised his right to counsel of choice; a right that encompasses the ability to hire and fire retained counsel.

Respectfully Submitted,

SATAWA LAW, PLLC

/s/ Mark A. Satawa

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Date: February 24, 2023